Case 08-25350 Doc 1 Filed 09/24/08 Entered 09/24/08 10:49:58 Desc Main Document Page 1 of 35

B1 (Official Form 1) (1/08) UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS **Voluntary Petition EASTERN DIVISION (CHICAGO)** Name of Joint Debtor (Spouse) (Last, First, Middle): Name of Debtor (if individual, enter Last, First, Middle): Weiss, Joseph R. Weiss, Linda L. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): xxx-xx-4289 than one, state all): xxx-xx-2747 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 1831 N. New England 1831 N. New England Chicago, IL Chicago, IL ZIP CODE ZIP CODE 60707 60707 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Cook Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor Nature of Business **Chapter of Bankruptcy Code Under Which** (Form of Organization) (Check one box.) the Petition is Filed (Check one box.) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Recognition Single Asset Real Estate as defined Chapter 9 Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. in 11 U.S.C. § 101(51B) of a Foreign Main Proceeding Chapter 11 Railroad Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) Chapter 12 Stockbroker of a Foreign Nonmain Proceeding ✓ Chapter 13 Partnership Commodity Broker Other (If debtor is not one of the above Clearing Bank **Nature of Debts** entities, check this box and state type (Check one box.) of entity below.) Debts are primarily consumer Debts are primarily **Tax-Exempt Entity** debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a business debts. (Check box, if applicable.) Debtor is a tax-exempt organization under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code). hold purpose. Filing Fee (Check one box.) Chapter 11 Debtors Check one box: ▼ Full Filing Fee attached. Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach Check if: signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontigent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes: attach signed application for the court's consideration. See Official Form 3B. A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. **Estimated Number of Creditors** 25,001-Over **√** 1-49 10,001-\_\_\_\_ 200-999 50,001-∐ 50-99 **\_\_\_** 100-199 5.000 10.000 25.000 50.000 100.000 100.000 Estimated Assets \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$50,000,001 \$0 to \$10,000,001 \$100,000,001 \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$1 million to \$10 million to \$50 million to \$100 million to \$500 million to \$1 billion \$1 billion Estimated Liabilities \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than

to \$100 million

to \$500 million

to \$1 billion

\$1 billion

to \$50 million

\$500,000

to \$1 million

to \$10 million

\$50,000 \$100,000

B1 (Official Form 1) (1/08)	Document Page 2 of 35	Page 2
Voluntary Petition	Name of Debtor(s): Joseph	
(This page must be completed and filed in ever	ery case.) Linda L	Weiss
All Prior Bankruptcy Cases F	iled Within Last 8 Years (If more than two, a	attach additional sheet.)
Location Where Filed: None	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Sp	ouse, Partner or Affiliate of this Debtor	(If more than one, attach additional sheet.)
Name of Debtor: <b>None</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., 10Q) with the Securities and Exchange Commission pursuant to 5 of the Securities Exchange Act of 1934 and is requesting relief un  Exhibit A is attached and made a part of this petition.	Section 13 or 15(d) der chapter 11.)  I, the attorney for the petitioner informed the petitioner that [he of title 11, United States Code,	Exhibit B completed if debtor is an individual ebts are primarily consumer debts.) named in the foregoing petition, declare that I have or she] may proceed under chapter 7, 11, 12, or 13 and have explained the relief available under each nat I have delivered to the debtor the notice
	X /s/ Mark R. Schottler	09/24/2008
	Mark R. Schottler	Date
Does the debtor own or have possession of any property that pos  Yes, and Exhibit C is attached and made a part of this petition  No.	= '	ole harm to public health or safety?
	Exhibit D	
(To be completed by every individual debtor. If a joint p  Exhibit D completed and signed by the debtor  If this is a joint petition:	is attached and made a part of this petition.	
Exhibit D also completed and signed by the jo	oint debtor is attached and made a part of this pe	etition.
In	formation Regarding the Debtor - Venue (Check any applicable box.)	
Debtor has been domiciled or has had a residence preceding the date of this petition or for a longer page.		in this District for 180 days immediately
☐ There is a bankruptcy case concerning debtor's aff	illiate, general partner, or partnership pending in	this District.
Debtor is a debtor in a foreign proceeding and has principal place of business or assets in the United or the interests of the parties will be served in rega	States but is a defendant in an action or proceed	
Certification by a	Debtor Who Resides as a Tenant of Residenti (Check all applicable boxes.)	ial Property
☐ Landlord has a judgment against the debtor for pos		complete the following.)
	(Name of landlord that obtained	ed judgment)
	(Address of landlord)	
Debtor claims that under applicable nonbankruptcy	, , , , , , , , , , , , , , , , , , , ,	lebtor would be permitted to cure the entire
monetary default that gave rise to the judgment for		·
Debtor has included in this petition the deposit with petition.	n the court of any rent that would become due du	ring the 30-day period after the filing of the
☐ Debtor certifies that he/she has served the Landlor	rd with this certification. (11 U.S.C. § 362(I)).	

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B1 (Official Form 1) (1/08) Document	Page 3 of 35
Voluntary Petition	Name of Debtor(s): Joseph R. Weiss
(This page must be completed and filed in every case)	Linda L. Weiss
Sign	natures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).  I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.  (Check only one box.)  I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.  Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting
X /s/ Joseph R. Weiss	recognition of the foreign main proceeding is attached.
Joseph R. Weiss	V
•	(Signature of Foreign Representative)
X /s/ Linda L. Weiss Linda L. Weiss	(Signature of Foreign Representative)
Telephone Number (If not represented by attorney)	(Printed Name of Foreign Representative)
09/24/2008	
Date	Date
Signature of Attorney*	Signature of Non-Attorney Bankruptcy Petition Preparer
X /s/ Mark R. Schottler	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and
Mark R. Schottler Bar No. 6238871	have provided the debtor with a copy of this document and the notices and
	information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a
Schottler & Associates 10 S. LaSalle Street	maximum fee for services chargeable by bankruptcy petition preparers, I have
Suite 3410	given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that
Chicago, IL 60603	section. Official Form 19 is attached.
Phone No.(312) 236-7200 Fax No.(312) 236-1691	
09/24/2008	Printed Name and title, if any, of Bankruptcy Petition Preparer
Date	
*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
<b>Signature of Debtor (Corporation/Partnership)</b> I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Address X
Signature of Authorized Individual  Printed Name of Authorized Individual	Date Signature of bankruptcy petiton preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.  Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or

Title of Authorized Individual

Date

Official Form 1, Exhibit D (10/06)

# Document Page 4 of 35 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE:	Joseph R. Weiss	Case No.	
	Linda L. Weiss		(if known)

Debtor(s)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit couseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

Official Form 1, Exhibit D (10/06)

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

Debtor(s)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

	Continuation Sheet No. 1
_	t required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be by a motion for determination by the court.]
_	ncapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to e incapable of realizing and making rational decisions with respect to financial responsibilites.);
	bisability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable ffort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
□ A	ctive military duty in a military combat zone.
	ted States trustee or bankruptcy administrator has determined that the credit counseling requirement of 9(h) does not apply in this district.
I certify under	penalty of perjury that the information provided above is true and correct.
Signature of De	ebtor: /s/ Joseph R. Weiss Joseph R. Weiss
Date: <b>09/</b> 2	24/2008

Official Form 1, Exhibit D (10/06)

# Document Page 6 of 35 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE:	Joseph R. Weiss	Case No.	
	Linda L. Weiss		(if known)

Debtor(s)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit couseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during he five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

Official Form 1, Exhibit D (10/06)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

Debtor(s)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

	Continuation on our res	
_	quired to receive a credit counseling briefing because of: motion for determination by the court.]	[Check the applicable statement.] [Must be
	pacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reaccepable of realizing and making rational decisions with resp	
_	bility. (Defined in 11 U.S.C. § 109(h)(4) as physically impaint, to participate in a credit counseling briefing in person, by	
☐ Activ	re military duty in a military combat zone.	
	States trustee or bankruptcy administrator has determined ) does not apply in this district.	that the credit counseling requirement of
I certify under pe	nalty of perjury that the information provided above is	true and correct.
Signature of Debto	or: /s/ Linda L. Weiss Linda L. Weiss	
Date: <b>09/24/</b> 2	2008	

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B6A (Official Form 6A) (12/07)

In re Joseph R. Weiss Linda L. Weiss

Case No.	
	(if known)

### **SCHEDULE A - REAL PROPERTY**

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or Exemption	Amount Of Secured Claim
1831 N. New England, Chicago, IL 60707 Single Family Home (in a trust for son)	Fee Simple	C	\$350,000.00	\$328,643.55

Total: \$350,000.00 (Report also on Summary of Schedules)

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B6B (Official Form 6B) (12/07)

In re Joseph R. Weiss Linda L. Weiss

Case No.	
	(if known)

# **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
1. Cash on hand.  2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X	Checking with Bank of America	С	\$100.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	x			
4. Household goods and furnishings, including audio, video and computer equipment.		Ordinary furniture, appliances, electronics, etc.	С	\$1,000.00
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.	x			
6. Wearing apparel.		Ordinary and Neccessary clothing items	С	\$500.00
7. Furs and jewelry.	x			
8. Firearms and sports, photographic, and other hobby equipment.	x			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	х			
10. Annuities. Itemize and name each issuer.	x			

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B6B (Official Form 6B) (12/07) -- Cont.

In re	Joseph R. Weiss
	Linda L. Weiss

Case No.	
	(if known)

# **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	x			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		401k	Н	\$0.00
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
14. Interests in partnerships or joint ventures. Itemize.	x			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	x			
16. Accounts receivable.	x			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	x			

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B6B (Official Form 6B) (12/07) -- Cont.

In re	Joseph R. Weiss
	Linda L. Weiss

Case No.	
	(if known)

# **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	х			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	x			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	x			
22. Patents, copyrights, and other intellectual property. Give particulars.	x			
23. Licenses, franchises, and other general intangibles. Give particulars.	x			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	x			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2005 Cadillac Escalade	С	\$20,000.00
		1998 Cadillac Caterra	С	\$2,550.00

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B6B (Official Form 6B) (12/07) -- Cont.

ln re	Joseph R. Weiss
	Linda L. Weiss

Case No.	
	(if known)

### **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
		1997 Honda Civic	С	\$250.00
26. Boats, motors, and accessories.	x			
27. Aircraft and accessories.	x			
28. Office equipment, furnishings, and supplies.	x			
29. Machinery, fixtures, equipment, and supplies used in business.	x			
30. Inventory.	x			
31. Animals.	x			
32. Crops - growing or harvested. Give particulars.	x			
33. Farming equipment and implements.	x			
34. Farm supplies, chemicals, and feed.	x			
35. Other personal property of any kind not already listed. Itemize.	x			
	_	3 continuation sheets attached	-⊢ al>	\$24,400.00

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B6C (Official Form 6C) (12/07)

In re	Joseph R. Weiss
	Linda L. Weiss

Case No.	
	(If known)

# **SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor claims the exemptions to which debtor is entitled under: (Check one box)	Check if debtor claims a homestead exemption that exceeds \$136,875.
☐ 11 U.S.C. § 522(b)(2) ☐ 11 U.S.C. § 522(b)(3)	

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
1831 N. New England, Chicago, IL 60707 Single Family Home (in a trust for son)	735 ILCS 5/12-901	\$21,356.45	\$350,000.00
Checking with Bank of America	735 ILCS 5/12-1001(b)	\$100.00	\$100.00
Ordinary furniture, appliances, electronics, etc.	735 ILCS 5/12-1001(b)	\$1,000.00	\$1,000.00
Ordinary and Neccessary clothing items	735 ILCS 5/12-1001(a), (e)	\$500.00	\$500.00
2005 Cadillac Escalade	735 ILCS 5/12-1001(c)	\$326.00	\$20,000.00
1998 Cadillac Caterra	735 ILCS 5/12-1001(c)	\$2,550.00	\$2,550.00
1997 Honda Civic	735 ILCS 5/12-1001(c)	\$250.00	\$250.00
	I	\$26,082.45	\$374,400.00

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B6D (Official Form 6D) (12/07) In re Joseph R. Weiss Linda L. Weiss

Case No.	
	(if known)

### **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY		CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #: 154-9070-57605  GMAC 2740 Arthur Street Roseville, MN 55113	_	С	DATE INCURRED: NATURE OF LIEN: Purchase Money COLLATERAL: 2005 Cadillac Escalade REMARKS:				\$19,674.00	
	$\vdash$		VALUE: <b>\$20,000.00</b> DATE INCURRED:					
ACCT #: 4107784  Wilshire Credit Corp. PO Box 650314  Dallas, TX 75265-0314		С	NATURE OF LIEN: Mortgage COLLATERAL: 1831 N. New England, Chicago, IL 60707 REMARKS:				\$328,643.55	
			VALUE: \$350,000.00					
			Subtotal (Total of this F	200			\$348,317.55	\$0.00
			Total (Use only on last p	_			\$348,317.55	\$0.00
continuation sheets attached			. o.a. (000 o.a.) on last p	9	-,-		(Report also on	(If applicable,

Summary of Schedules.)

report also on Statistical Summary of Certain Liabilities and Related Data.)

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B6E (Official Form 6E) (12/07)

In re Joseph R. Weiss Linda L. Weiss

Case No.	
	(If Known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TY	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	<b>Deposits by individuals</b> Claims of individuals up to \$2,425* for deposits for the purchase, lease or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and Certain Other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to Maintain the Capital of an Insured Depository Institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).
	Claims for Death or Personal Injury While Debtor Was Intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).
	Administrative allowances under 11 U.S.C. Sec. 330 Claims based on services rendered by the trustee, examiner, professional person, or attorney and by any paraprofessional person employed by such person as approved by the court and/or in accordance with 11 U.S.C. §§ 326, 328, 329 and 330.
	nounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of strength.
	1continuation sheets attached

Document

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B6E (Official Form 6E) (12/07) - Cont.

In re Joseph R. Weiss Linda L. Weiss

Case No.	
	(If Known)

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

TYPE OF PRIORITY Administrative allowances UNLIQUIDATED HUSBAND, WIFE, JOI OR COMMUNITY CONTINGENT CREDITOR'S NAME, DATE CLAIM WAS INCURRED **AMOUNT AMOUNT AMOUNT** CODEBTOR DISPUTED MAILING ADDRESS AND CONSIDERATION FOR OF **ENTITLED TO** NOT INCLUDING ZIP CODE, CLAIM **PRIORITY ENTITLED TO** CLAIM AND ACCOUNT NUMBER PRIORITY, IF ANY (See instructions above.) ACCT #: DATE INCURRED: 09/23/2008 CONSIDERATION: Schottler & Associates \$1,975.00 \$1,975.00 \$0.00 **Attorney Fees** 10 S. LaSalle Street REMARKS: **Suite 3410** Chicago, IL 60603 of \_ 1 continuation sheets Subtotals (Totals of this page) > \$1,975.00 \$1,975.00 \$0.00 attached to Schedule of Creditors Holding Priority Claims \$1,975.00 Total > (Use only on last page of the completed Schedule E. Report also on the Summary of Schedules.) \$1,975.00 \$0.00 (Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.)

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B6F (Official Form 6F) (12/07) In re Joseph R. Weiss Linda L. Weiss

Case No.		
	(if known)	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	LONINGENT	UNLIQUIDATED	DISPUTED	5	AMOUNT OF CLAIM
ACCT#: 6011 2986 2659 4919 Capital Management Services, Inc. 726 Exchange Street Suite 700 Buffalo, NY 14210		С	DATE INCURRED: CONSIDERATION: Collecting for - Discover card REMARKS:					Notice Only
ACCT#: 5424 1803 7296 9458  Citi Cards PO BOX 688917  Des Moines, IA 50368-8917		С	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:					\$8,749.22
ACCT #: ending in 8400 Discover Card 12 Reads Way New Castle, DE 19720-1649		С	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:					\$11,591.09
ACCT #: 6011 2986 2659 4919  Discover Card 12 Reads Way New Castle, DE 19720-1649		С	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:					\$6,953.50
ACCT #: 7409  Lake Forest Resort & Club Condo 1531 Golf View Road  Eagle River, WI 54521		С	DATE INCURRED: CONSIDERATION: Services REMARKS:					\$1,080.00
ACCT #: 5049948116677941  Northland Group, Inc. PO Box 390905  Edina, MN 55439		С	DATE INCURRED: CONSIDERATION: Collecting for - Citibank/Sears REMARKS:					Notice Only
continuation sheets attached		(Rep	(Use only on last page of the completed S port also on Summary of Schedules and, if applica Statistical Summary of Certain Liabilities and Re	ched ble, c	ota ule on tl	ıl > F.) he		\$28,373.81

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B6F (Official Form 6F) (12/07) - Cont. In re Joseph R. Weiss Linda L. Weiss

Case No.		
	(if known)	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	TNEGNITNOG	INIIOIIIDATED	מינים	DISPUIED	AMOUNT OF CLAIM
ACCT #: 5049 9481 1667 7941  Sears Premier Card PO BOX 6924  The Lakes, NV 88901-6924	-	С	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:					\$7,065.63
ACCT #: 5769053096  Wachovia Dealer Services PO Box 25341 Santa Ana, CA 92799		С	DATE INCURRED: CONSIDERATION: Deficiency on repossessed vehicle REMARKS:					\$18,484.72
ACCT #: 4121 3727 1001 7855  Washington Mutual PO BOX 1093  Northridge, CA 91328	_	С	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:					\$14,995.51
Sheet no. <u>1</u> of <u>1</u> continuation she Schedule of Creditors Holding Unsecured Nonpriority C	laim	ıs	hed to  (Use only on last page of the completed Sort also on Summary of Schedules and, if applications Statistical Summary of Certain Liabilities and Re	ched ble, c	Tota ule on t	al > F. he	)	\$40,545.86 \$68,919.67

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B6G (Official Form 6G) (12/07)

In re Joseph R. Weiss Linda L. Weiss

Case No.		
	(if known)	

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases of contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

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B6H (Official Form 6H) (12/07)

In re Joseph R. Weiss Linda L. Weiss

Case No.	
	(if known)

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eightyear period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

# -1.46:- 6.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR	

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B6I (Official Form 6I) (12/07)

In re Joseph R. Weiss Linda L. Weiss

Case No.	
	(if known)

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	Dependent	s of Debtor and Sp	ouse	
Manniad	Relationship(s): Age(s):	Relationship	(s):	Age(s):
Married		·	. ,	<b>5</b> , ,
Employment:	Debtor	Spouse		
Occupation	Warehouse Coordinator	Senior Recr	uiter	
Name of Employer	Dynamex	Apple One		
How Long Employed	15 Years	6 months		
Address of Employer	1455 Lester	221 N. LaSa	alle St.	
	Elk Grove Village, IL	Chicago, IL		
INCOME: (Estimate of a	verage or projected monthly income at time case file	ed)	DEBTOR	SPOUSE
1. Monthly gross wages	s, salary, and commissions (Prorate if not paid mon	thly)	\$3,399.74	\$3,333.34
2. Estimate monthly ov	ertime		\$0.00	\$0.00
3. SUBTOTAL			\$3,399.74	\$3,333.34
4. LESS PAYROLL DE			¢474.00	<b>#040.00</b>
	udes social security tax if b. is zero)		\$171.90 \$167.46	\$319.66
<ul><li>b. Social Security Ta</li><li>c. Medicare</li></ul>	X		\$167.46 \$39.17	\$0.00 \$206.66
d. Insurance			\$698.97	\$200.00 \$75.98
e. Union dues			\$0.00	\$0.00
	401k / 401K		\$339.97	\$100.00
g. Other (Specify)	40TK / 40TK		\$0.00	\$0.00
h. Other (Specify)			\$0.00	\$0.00
i. Other (Specify)			\$0.00	\$0.00
j. Other (Specify)			\$0.00	\$0.00
k. Other (Specify)		<del></del>	\$0.00	\$0.00
5. SUBTOTAL OF PAY	ROLL DEDUCTIONS		\$1,417.47	\$702.30
6. TOTAL NET MONTH	ILY TAKE HOME PAY		\$1,982.27	\$2,631.04
7. Regular income from	operation of business or profession or farm (Attac	n detailed stmt)	\$0.00	\$0.00
8. Income from real pro		,	\$0.00	\$0.00
9. Interest and dividend	ls ·		\$0.00	\$0.00
10. Alimony, maintenand	e or support payments payable to the debtor for the	e debtor's use or	\$0.00	\$0.00
that of dependents li				
<ol><li>Social security or go</li></ol>	vernment assistance (Specify):		<b>#</b> 0.00	<b>#</b> 0.00
40 Danaian ann Garage	1 to a size of		\$0.00	\$0.00
12. Pension or retiremen			\$1,333.00	\$0.00
13. Other monthly incom a	/ PT Job at YMCA		\$0.00	\$100.00
b.	71 1 005 at 11110A		\$0.00	\$0.00
C.			\$0.00	\$0.00
14. SUBTOTAL OF LINE	S 7 THROUGH 13		\$1,333.00	\$100.00
	Y INCOME (Add amounts shown on lines 6 and 14	1)	\$3,315.27	\$2,731.04
	•	*		· · · · · · · · · · · · · · · · · · ·
10. COMBINED AVERA	GE MONTHLY INCOME: (Combine column totals for	om line 15)	\$6,	046.31

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None.** 

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B6J (Official Form 6J) (12/07)

IN RE: Joseph R. Weiss Linda L. Weiss

Case No.	
	(if known)

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate an	у
payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may	
differ from the deductions from income allowed on Form 22A or 22C.	

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schelabeled "Spouse."	edule of expenditures
Rent or home mortgage payment (include lot rented for mobile home)     a. Are real estate taxes included?	\$2,190.91
2. Utilities: a. Electricity and heating fuel b. Water and sewer c. Telephone d. Other: Cable/Internet	\$275.00 \$49.00 \$200.00 \$67.00
3. Home maintenance (repairs and upkeep)  4. Food  5. Clothing  6. Laundry and dry cleaning  7. Medical and dental expenses  8. Transportation (not including car payments)  9. Recreation, clubs and entertainment, newspapers, magazines, etc.  10. Charitable contributions	\$100.00 \$450.00 \$200.00 \$60.00 \$160.00 \$500.00
11. Insurance (not deducted from wages or included in home mortgage payments) a. Homeowner's or renter's b. Life c. Health d. Auto	\$75.00 \$134.00
e. Other:  12. Taxes (not deducted from wages or included in home mortgage payments)  Specify: Property Taxes	\$216.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)  a. Auto: Vehicle payment b. Other: c. Other: d. Other:	\$894.29
14. Alimony, maintenance, and support paid to others: 15. Payments for support of add'l dependents not living at your home: 16. Regular expenses from operation of business, profession, or farm (attach detailed statement) 17.a. Other: Auto Repair 17.b. Other: Haircuts & Personal Care	\$75.00 \$100.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$5,746.20
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following document: <b>None.</b>	the filing of this
20. STATEMENT OF MONTHLY NET INCOME  a. Average monthly income from Line 15 of Schedule I  b. Average monthly expenses from Line 18 above  c. Monthly net income (a. minus b.)	\$6,046.31 \$5,746.20 \$300.11

B6 Summary (Official Form 6 - Summary) (12/07)

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re Joseph R. Weiss Linda L. Weiss

Case No.

Chapter 13

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$350,000.00		
B - Personal Property	Yes	4	\$24,400.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$348,317.55	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		\$1,975.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		\$68,919.67	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			\$6,046.31
J - Current Expenditures of Individual Debtor(s)	Yes	1			\$5,746.20
	TOTAL	15	\$374,400.00	\$419,212.22	

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Form 6 - Statistical Summary (12/07)

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re Joseph R. Weiss Linda L. Weiss

Case No.

Chapter 13

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11, or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$0.00
Student Loan Obligations (from Schedule F)	\$0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$0.00
TOTAL	\$0.00

### State the following:

otate the following.		
Average Income (from Schedule I, Line 16)	\$6,046.31	
Average Expenses (from Schedule J, Line 18)	\$5,746.20	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	\$7,727.45	

#### State the following:

Otato the renowing.		
Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$0.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$1,975.00	
Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$0.00
4. Total from Schedule F		\$68,919.67
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$68,919.67

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In re Joseph R. Weiss Linda L. Weiss

Case No.	
	(if known)

# **DECLARATION CONCERNING DEBTOR'S SCHEDULES DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of				
sheets, and that they are true and correct to the best of my	knowledge, information, and belief.			
Date <b>09/24/2008</b>	Signature _/s/ Joseph R. Weiss			
	Joseph R. Weiss			
Date 09/24/2008	Signature /s/ Linda L. Weiss			
	Linda L. Weiss			
	[If joint case, both spouses must sign.]			

B7 (Official Form 7) (12/07)

# Document Page 26 of 35 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

n re:	Joseph R. Weiss	Case No.	
	Linda L. Weiss		(if known)

### STATEMENT OF FINANCIAL AFFAIRS

### 1. Income from employment or operation of business

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE \$10,666.03 Year to Date

\$25,551.00 2007

\$31,137.00 2006

### 2. Income other than from employment or operation of business

None

✓

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 3. Payments to creditors

#### Complete a. or b., as appropriate, and c.

None

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

 $\overline{\mathbf{Q}}$ 

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

 $\sqrt{\phantom{a}}$ 

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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B7 (Official Form 7) (12/07) - Cont.

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

n re:	Joseph R. Weiss	Case No.	
	Linda L. Weiss		(if known)

# STATEMENT OF FINANCIAL AFFAIRS Continuation Sheet No. 1

	5. Repossessions, foreclosures and returns			
None	List all property that has been repossessed by a creditor, so to the seller, within one year immediately preceding the cominclude information concerning property of either or both spojoint petition is not filed.)	mencement of this case. (Marr	ed debtors fili	ng under chapter 12 or chapter 13 must
	NAME AND ADDRESS OF CREDITOR OR SELLER Repossession car	DATE OF REPOSSESSIOI FORECLOSURE SALE, TRANSFER OR RETURN	•	PTION AND VALUE PERTY
	6. Assignments and receiverships			
None  ✓	a. Describe any assignment of property for the benefit of cr (Married debtors filing under chapter 12 or chapter 13 must filed, unless the spouses are separated and a joint petition is	include any assignment by eithe		
None	b. List all property which has been in the hands of a custodi commencement of this case. (Married debtors filing under c spouses whether or not a joint petition is filed, unless the sp	chapter 12 or chapter 13 must in	clude informa	tion concerning property of either or both
None	7. Gifts List all gifts or charitable contributions made within one year gifts to family members aggregating less than \$200 in value per recipient. (Married debtors filing under chapter 12 or chapter 12 or chapter 12 or chapter 12 or chapter 15 or chapte	per individual family member a apter 13 must include gifts or co	nd charitable	contributions aggregating less than \$100
	NAME AND ADDRESS OF PERSON	RELATIONSHIP TO		DESCRIPTION AND
	OR ORGANIZATION Honda Civic gift	DEBTOR, IF ANY DATE	OF GIFT	VALUE OF GIFT
None	8. Losses List all losses from fire, theft, other casualty or gambling with commencement of this case. (Married debtors filing under case) a joint petition is filed, unless the spouses are separated and	chapter 12 or chapter 13 must in		
	9. Payments related to debt counseling or bar	kruptcy		
None	List all payments made or property transferred by or on beha consolidation, relief under the bankruptcy law or preparation of this case.			
		DATE OF PAYMENT,		
	NAME AND ADDRESS OF PAYEE Schottler & Associates	NAME OF PAYER IF OTHER THAN DEBTOR 09/23/2008		OF MONEY OR DESCRIPTION IE OF PROPERTY

10 S. LaSalle Street **Suite 3410** Chicago, IL 60603

B7 (Official Form 7) (12/07) - Cont.

# Document Page 28 of 35 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re:	Joseph R. Weiss		
	Linda I Wais		

Case No.	
	(if known)

### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 2

N	^	n	6

#### 10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

### 11. Closed financial accounts

None

✓

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 13. Setoffs

None

✓

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 14. Property held for another person

None

✓

List all property owned by another person that the debtor holds or controls.

## 15. Prior address of debtor

None

⊻

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

B7 (Official Form 7) (12/07) - Cont.

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

In re:	Joseph R. Weiss
	Linda L. Weiss

Case No.	
	(if known)

### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 3

17	Fnv	ironm	ental	Info	rmation

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material.

Indicate the governmental unit to which the notice was sent and the date of the notice.

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

### 18. Nature, location and name of business

None

a. If the debtor is an individual, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

B7 (Official Form 7) (12/07) - Cont.

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

Case No.	
	(if known)

### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 4

[If completed by an individual or individual and spouse]		
declare under penalty of perjury that I have read the answere attachments thereto and that they are true and correct.	s contained in th	e foregoing statement of financial affairs and any
Date 09/24/2008	Signature	/s/ Joseph R. Weiss
	of Debtor	Joseph R. Weiss
Date 09/24/2008	Signature	/s/ Linda L. Weiss
	of Joint Debtor	Linda L. Weiss
	(if any)	

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

B201 (04/09/06)

# Document Page 31 of 35 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Joseph R. Weiss Linda L. Weiss

# NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days BEFORE the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under Chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

B201 (04/09/06)

# Document Page 32 of 35 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

Page 2

IN RE: Joseph R. Weiss Linda L. Weiss

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

### Certificate of Compliance with § 342(b) of the Bankruptcy Code

l,Mark R. Schottler	, counsel for Debtor(s), hereby certify that I delivered to the Debtor(s) the Notice
required by § 342(b) of the Bankruptcy Code.	
/s/ Mark R. Schottler	
15/ Wark R. Schottler	
Mark R. Schottler, Attorney for Debtor(s)	
Bar No.: 6238871	
Schottler & Associates	
10 S LaSalla Stroot	

Suite 3410 Chicago, IL 60603 Phone: (312) 236-7200 Fax: (312) 236-1691

### **Certificate of the Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Joseph R. Weiss	X /s/ Joseph R. Weiss	09/24/2008
Linda L. Weiss	Signature of Debtor	Date
Printed Name(s) of Debtor(s)	X /s/ Linda L. Weiss	09/24/2008
Case No. (if known)	Signature of Joint Debtor (if any)	Date

### Document Page 33 of 35 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION (CHICAGO)

IN RE: Joseph R. Weiss CASE NO

Linda L. Weiss

CHAPTER 13

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1.	Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:					
	For legal services, I have agreed to ac	cept:	\$3,500.00			
	Prior to the filing of this statement I have	ve received:	\$1,525.00			
Balance Due:			\$1,975.00			
2	The source of the compensation paid t	o me was.				
	Debtor	Other (specify)				
3	The source of compensation to be paid	d to me is:				
٠.	Debtor	Other (specify)				
1	_		with any other person upless they are members and			
+.	I have not agreed to share the aboassociates of my law firm.	ove-disclosed compensation	with any other person unless they are members and			
			another person or persons who are not members or yith a list of the names of the people sharing in the			
	<ul> <li>In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:</li> <li>a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;</li> <li>b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;</li> <li>c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;</li> <li>d. By agreement with the debtor(s), the above-disclosed fee does not include the following services:</li> </ul>					
		CERTIFICAT				
	I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.					
	09/24/2008	/s/ Mark R. Sch	ottler			
	Date	Mark R. Schottler & Associated Schottler & Associated St. LaSalle St. Suite 3410 Chicago, IL 606	er Bar No. 6238871 ociates reet			
	/s/ Joseph R. Weiss		s/ Linda L. Weiss			
	Joseph R. Weiss	Lir	nda L. Weiss			

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IN RE: Joseph R. Weiss

Linda L. Weiss

CASE NO

CHAPTER 13

# **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date	09/24/2008		/s/ Joseph R. Weiss
		J	Joseph R. Weiss
Date	09/24/2008	Signature .	/s/ Linda L. Weiss
			Linda L. Weiss

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Capital Management Services, Inc. 726 Exchange Street Suite 700 Buffalo, NY 14210 Wilshire Credit Corp. PO Box 650314 Dallas, TX 75265-0314

Citi Cards PO BOX 688917 Des Moines, IA 50368-8917

Discover Card 12 Reads Way New Castle, DE 19720-1649

GMAC 2740 Arthur Street Roseville, MN 55113

Lake Forest Resort & Club Condo 1531 Golf View Road Eagle River, WI 54521

Northland Group, Inc. PO Box 390905 Edina, MN 55439

Sears Premier Card PO BOX 6924 The Lakes, NV 88901-6924

Wachovia Dealer Services PO Box 25341 Santa Ana, CA 92799

Washington Mutual PO BOX 1093 Northridge, CA 91328